



SECOND ITEM ON THE AGENDA

ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up**Review of the forms for annual reports under the follow-up****Executive summary**

At its 277th Session (March 2000), the Governing Body approved a recommendation of the ILO Declaration Expert-Advisers that the Governing Body review the report forms used under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work. The ILO Expert-Advisers have suggested the need for a fresh approach and have proposed a number of adjustments that would require replacing the report forms. Taking those proposals into account, the Office has prepared four draft revised report forms and a common introductory text. They are all annexed to this document for review by the Governing Body, with a view to their approval for use as from the annual review that will begin in April 2001. *Point for decision:* Paragraph 10.

1. **Framework.** The follow-up to the ILO Declaration on Fundamental Principles and Rights at Work provides for a review each year of the efforts made in accordance with the Declaration by member States which have not yet ratified all the fundamental Conventions.¹ The purpose of the promotional follow-up is to encourage efforts made by these States to promote the fundamental principles and rights in the Declaration and to

¹ Annex, follow-up to the Declaration, para. II.A.1. The annual review is based on reports requested from Members under article 19, paragraph 5(e), of the ILO Constitution, which establishes an obligation to report on “the position of [the Member’s] law and practice ..., showing the extent to which effect has been given, or is proposed to be given, to any of the provisions ... by legislation, administrative action, collective agreement or otherwise and stating the difficulties which prevent or delay the ratification of [the] Convention”.

allow the identification of areas in which the assistance of the Organization may prove useful to help implement these principles and rights.²

2. Purpose of seeking information. Under the terms of the follow-up to the Declaration, the report forms are to obtain information on any changes that may have taken place in the law and practice of governments, taking account of article 23 of the Constitution and established practice.³ As noted by the ILO Declaration Expert-Advisers, the initial reports under the Declaration were intended to establish the baseline for each country against which progress may be measured. This baseline remains to be established in a number of situations.⁴ In the words of the Expert-Advisers, “the Declaration follow-up presents an opportunity for a country to examine its own situation and to request assistance”.⁵ In line with the promotional nature of the follow-up, the information is being sought not for comparative purposes between countries, but rather for each country to chart its own progress within its particular socio-economic context.

3. Mandate to propose changes to the forms. For the first two annual reviews, the report forms used were those the Governing Body had approved at its 274th Session (March 1999).⁶ When the Governing Body appointed the ILO Declaration Expert-Advisers, it included in their mandate the possibility of proposing adjustments to the report forms that the Expert-Advisers might think desirable.⁷ One of the recommendations made by the Expert-Advisers and approved by the Governing Body at its 277th Session (March 2000) was to review the report forms under the follow-up.⁸

4. Recommendations for change. In their initial introduction to the compilation of reports, the Expert-Advisers noted that “a revision of the report forms in the future would be desirable, to make them more effective in producing the kind of information sought”.⁹ As noted in their second introduction, “the purposes of the revision would be to make the questions clearer and more precise, add a gender dimension and include questions relevant to the worst forms of child labour”.¹⁰ Earlier, they had drawn particular attention to the need to include questions eliciting further information on:

- (a) social and economic conditions that influence respect for principles in the Declaration;
- (b) freedom of association as it relates to both employers’ and workers’ organizations;

² Annex, follow-up to the Declaration, para. I.1 and 2 and para. II.A.1.

³ *ibid.*, para. II.B.1.

⁴ GB.277/3/1, para. 43.

⁵ *ibid.*, para. 9.

⁶ The report forms used up to now appeared in GB.277/3/1.

⁷ GB.276/3, para. 2; and GB.274/2.

⁸ GB.277/3/1, para. 24.

⁹ *ibid.*, para. 47.

¹⁰ GB.280/3/1, para. 17.

- (c) policy and legislative measures aimed at respecting the fundamental principles and rights in the informal sector.¹¹

5. They also suggested:¹²

- (a) rewording the report forms to avoid overlaps in questions and to pose them with greater clarity;
- (b) redesigning the forms to stimulate participation by employers' and workers' organizations in the process;
- (c) adding a gender dimension, including requests for data broken down on the basis of sex, and taking into account the different life experiences of men and women and boys and girls;
- (d) taking more explicit account of equal remuneration and other aspects of discrimination when the report forms are reviewed;
- (e) reformulating the report form regarding the elimination of discrimination in employment or occupation to encourage more meaningful responses, such as data disaggregated by social group and the types of action taken to eliminate discrimination;
- (f) making the report forms regarding the elimination of all forms of forced or compulsory labour more specific and having them identify indicators;
- (g) adding a gender dimension to the child labour report form.

6. ***Entry into force of Convention No. 182.*** In addition, with the coming into force of the eighth fundamental Convention, the Worst Forms of Child Labour Convention, 1999 (No. 182), on 19 November 2000, it has become necessary to adapt the report form regarding effective abolition of child labour to take into account principles embodied in Convention No. 182.

7. ***Identification of obstacles and technical cooperation needs.*** One reason cited for the proposed changes to the report forms has been the need to more clearly identify obstacles to respecting fundamental principles and rights at work and technical cooperation needs that might address them.¹³ The proposed new forms attempt to make these aspects more explicit, in line with the promotional nature of the Declaration follow-up.

8. ***Increased efficiency sought.*** An additional factor influencing the redesign of the report forms has been the desire to promote efficiency for both governments and the Office. Thus the proposed new report forms appearing in Appendices I to IV include questions framed in ways that would permit some yes/no and multiple choice replies, while inviting fuller textual explanations. An attempt has been made to avoid questions eliciting information

¹¹ *ibid.*

¹² GB.277/3/1, paras. 47, 48, 49, 93 and 113.

¹³ GB.280/3/1, para. 17. Each November, the Governing Body is to set priorities and plans of action for technical cooperation in relation to the subject addressed by the Global Report at the preceding International Labour Conference. It did so for freedom of association and the effective recognition of the right to collective bargaining in November 2000 (GB.279/TC/3).

that is easily available elsewhere (such as published economic statistics, or information on ILO projects operating within the country). It is hoped that the new approach will permit the production of a shorter compilation of reports as from next year.

9. At their second session (29 January-2 February 2001), the Expert-Advisers reviewed the draft revised report forms that had been prepared by the Office and recommended a number of adjustments to them. The questions have subsequently been modified for clarity, in consultation with the Statistics Bureau of the Office. The standard introductory text for the forms largely follows the one approved for the existing questionnaires, with the addition of brief instructions for completing the forms. The following sentence has also been added: "The questions posed in the report forms in no way imply any obligations beyond those contained in the Constitution, the Declaration and its follow-up."
10. *The Committee is invited to recommend to the Governing Body that it approve the four revised report forms set out in the Addendum and Appendices I to IV to this document for use by the Office as from April 2001 in the annual review under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work.*

Geneva, 26 February 2001.

Point for decision: Paragraph 10.

Addendum

ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up

Report forms for the annual review: Introductory text for report forms

1. Each report form would contain the following introductory text:

Introduction

The ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, adopted by the International Labour Conference at its 86th Session on 18 June 1998, recalls that all Members, even if they have not ratified the Conventions regarded as fundamental, have an obligation arising from the very fact of their membership in the Organization to respect, to promote and to realize in good faith and in accordance with the Constitution, the principles concerning the fundamental rights which are the subject of those Conventions.

In order to give the Organization and its Members the opportunity of regularly observing their efforts to promote those principles, the Declaration has a promotional follow-up, one component of which sets out to obtain, through annual reports requested under article 19, paragraph 5(e), of the Constitution, information from Members that have not ratified one or more of the fundamental Conventions on any changes to their legislation and practice with regard to each of the categories of principles and rights set out in the Declaration. The questions posed in the report form in no way imply any obligations beyond those contained in the Constitution, the Declaration and its follow-up.

This report form, which has been approved by the Governing Body of the International Labour Office, is for use by States that have not ratified the relevant Convention(s). For questions calling for a yes or no answer, or for checking appropriate boxes from a series of options, please mark the answers clearly. Answers to questions that call for longer replies on a separate sheet should indicate the number of the question being addressed. For the questions that ask for a ranking, such as types of technical cooperation needs, kindly indicate the most important to you as 1, the next most important as 2 and so forth. Legislation, statistics and other information need be provided only if they have not already been sent to the ILO.

Assistance in completing these forms is available from the International Labour Office.

Replies are requested by 1 September of each year and should be sent to this address:

InFocus Programme on Promoting the Declaration
4 route des Morillons
1211 Geneva 22
Switzerland
Fax: +41-22-799-6329
e-mail: declaration@ilo.org

Appendix I

ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up

Report form (revised) – DRAFT

Freedom of association and the effective recognition of the right to collective bargaining

Note: If your Government has already supplied a full report on this topic, you have the option of skipping to Questions 18 et seq.

1. Recognition of the principle of freedom of association and the effective recognition of the right to collective bargaining

1. Is the principle of freedom of association, i.e. the right of employers and of workers to form organizations of their own choosing and to affiliate to these organizations, recognized in your country? Yes No

If yes, in what manner is the principle of freedom of association recognized?

- (a) in the Constitution Yes No
 (b) in legislation Yes No
 (c) in judicial decisions Yes No
 (d) in another way. Please specify _____

Please attach copies of relevant legal instruments unless these have already been sent to the ILO, indicating Q.1.

2. Please indicate whether the following categories of persons are covered or not covered by the guarantee of exercise of freedom of association in your country:

- | | | |
|---|----------------------------------|--------------------------------------|
| (a) Agricultural workers | <input type="checkbox"/> Covered | <input type="checkbox"/> Not covered |
| (b) Migrant workers | <input type="checkbox"/> Covered | <input type="checkbox"/> Not covered |
| (c) Workers in the informal economy | <input type="checkbox"/> Covered | <input type="checkbox"/> Not covered |
| (d) Workers below a stated age. If so, what age: _____ | <input type="checkbox"/> Covered | <input type="checkbox"/> Not covered |
| (e) All workers in the public service | <input type="checkbox"/> Covered | <input type="checkbox"/> Not covered |
| (f) Certain categories of workers in the public service
Please specify which _____ | <input type="checkbox"/> Covered | <input type="checkbox"/> Not covered |
| (g) Teachers | <input type="checkbox"/> Covered | <input type="checkbox"/> Not covered |
| (h) Medical professionals | <input type="checkbox"/> Covered | <input type="checkbox"/> Not covered |
| (i) Domestic workers | <input type="checkbox"/> Covered | <input type="checkbox"/> Not covered |
| (j) Other specific categories of workers
Please specify which _____ | <input type="checkbox"/> Covered | <input type="checkbox"/> Not covered |
| (k) Any category of employers
Please specify which _____ | <input type="checkbox"/> Covered | <input type="checkbox"/> Not covered |

For the categories that are **not covered** please indicate the reasons why.

Please continue on a separate sheet, indicating Q.2.

3. Is prior authorization of the Government necessary to establish:
 (a) a workers' organization? Yes No
 (b) an employers' organization? Yes No

4. In your country, can workers exercise freedom of association at the following levels?
- (a) Enterprise ___ Yes ___ No
- (b) Sector or industry ___ Yes ___ No
- (c) National ___ Yes ___ No
- (d) International ___ Yes ___ No
5. In your country, can employers exercise freedom of association at the following levels?
- (a) Enterprise ___ Yes ___ No
- (b) Sector or industry ___ Yes ___ No
- (c) National ___ Yes ___ No
- (d) International ___ Yes ___ No
6. Can the Government intervene in the functioning of a workers' organization? ___ Yes ___ No
If yes, under what circumstances?

7. Can the Government intervene in the functioning of an employers' organization? ___ Yes ___ No
If yes, under what circumstances?

8. Is the principle of the effective recognition of the right to collective bargaining, i.e. the possibility for organizations of workers and of employers to engage in the voluntary negotiation of collective agreements to regulate conditions of employment, recognized in your country? ___ Yes ___ No
If yes, in what manner is the principle recognized?
- (a) in the Constitution ___ Yes ___ No
- (b) in legislation ___ Yes ___ No
- (c) in judicial decisions ___ Yes ___ No
- (d) in another way. Please specify _____

Please attach copies of relevant legal instruments unless these have already been sent to the ILO, indicating Q.8.

9. Please indicate whether the following categories of persons can or cannot engage in collective bargaining in your country:
- (a) Agricultural workers ___ Can ___ Cannot
- (b) Migrant workers ___ Can ___ Cannot
- (c) Workers in the informal economy ___ Can ___ Cannot
- (d) Workers below a stated age. If so, what age: _____ ___ Can ___ Cannot
- (e) All workers in the public service ___ Can ___ Cannot
- (f) Certain categories of workers in the public service ___ Can ___ Cannot
 Please specify which _____
- (g) Teachers ___ Can ___ Cannot
- (h) Medical professionals ___ Can ___ Cannot
- (i) Domestic workers ___ Can ___ Cannot
- (j) Other specific categories of workers ___ Can ___ Cannot
 Please specify which _____
- (k) Any category of employers ___ Can ___ Cannot
 Please specify which _____

For any categories that **cannot** engage in collective bargaining, please indicate the reasons why.

10. Is government authorization or approval of collective agreements required in your country? ___ Yes ___ No

If yes, please specify under which circumstances.

11. In your country, is the principle of the effective recognition of the right to collective bargaining recognized at the following levels?
- | | |
|---------------------------------|----------------|
| (a) Enterprise | ___ Yes ___ No |
| (b) Sector | ___ Yes ___ No |
| (c) National | ___ Yes ___ No |
| (d) International | ___ Yes ___ No |
| (e) Other. Please specify _____ | |

II. Efforts made or envisaged to realize the principle of freedom of association and the effective recognition of the right to collective bargaining

12. Please describe the efforts made or envisaged to respect, promote and realize freedom of association in your country.

13. Please describe the efforts made or envisaged to respect, promote and realize the effective recognition of the right to collective bargaining in your country.

14. Does the Government produce or receive from others the following statistics?
- | | |
|--|----------------|
| (a) Trade union membership | ___ Yes ___ No |
| If yes , are these statistics broken down by sex? | ___ Yes ___ No |
| (b) Membership in employers' organizations | ___ Yes ___ No |
| If yes , are these statistics broken down by sex? | ___ Yes ___ No |
| (c) Number of workers covered by collective agreements | ___ Yes ___ No |
| If yes , are these statistics broken down by sex? | ___ Yes ___ No |

Please provide full references of any published statistics, and provide recent examples of these as attachments to your reply, if these have not already been provided to the ILO.

15. Does the Government record the following information with respect to freedom of association?
- (a) the number of cases brought before the competent authority or court alleging non-respect for freedom of association ___ Yes ___ No
 - (b) the outcome of these cases ___ Yes ___ No
 - (c) other aspects of freedom of association ___ Yes ___ No
- If yes, please specify which aspects.**

Please provide examples of recent information, if this has not already been provided to the ILO.

16. Does the Government record the following information with respect to collective bargaining?
- (a) the number of cases brought alleging non-respect for the principle of effective recognition of the right to collective bargaining ___ Yes ___ No
 - (b) the outcome of those cases ___ Yes ___ No
 - (c) the sectors/industries in which collective agreements have been concluded ___ Yes ___ No
 - (d) other aspects of effective recognition of the right to collective bargaining ___ Yes ___ No
- If yes, please specify which aspects.**

Please provide examples of recent information, if this has not already been provided to the ILO.

17. Does the Government work with any multilateral agencies other than the ILO, bilateral donors and/or other organizations to promote the principle of freedom of association and the effective recognition of the right to collective bargaining? ___ Yes ___ No
- If yes, please briefly describe this cooperation (please attach details if available, indicating Q.17).**

III. Progress and achievements with respect to freedom of association and the effective recognition of the right to collective bargaining

18. If your Government has already submitted a full report on the principle of freedom of association and the effective recognition of the right to collective bargaining, under the Declaration follow-up, please describe any major changes since your last report.

Major change	Date of change

IV. Obstacles with respect to freedom of association and the effective recognition of the right to collective bargaining

19. What have been the main obstacles encountered in your country with respect to realizing the principle of freedom of association and effective recognition of the right to collective bargaining?

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V. Priority needs for technical cooperation

20. Does your Government see a need for new or continued technical cooperation with the ILO to assist in realization of the principle of freedom of association and effective recognition of the right to collective bargaining? ___ Yes ___ No

If yes, please indicate the types of technical cooperation desired, ranking in order of priority (1 = most important; 2 = 2nd most important, etc.; 0 = not important).

Type of technical cooperation desired	Ranking
Labour law reform	
Other legal reform	
Training of government officials	
Training of employers' and workers' organizations	
Strengthening statistical capacity	
Sharing of experience across countries/regions	
Other. Please specify	

*Please attach further details for the **first 3** priority technical cooperation needs identified, indicating Q.20.*

VI. Report preparation

21. Regarding the preparation of this report:
- (a) Were employers' organizations consulted in its preparation? ___ Yes ___ No
- (b) Were workers' organizations consulted in its preparation? ___ Yes ___ No
- (c) Was there consultation with any other government agencies? ___ Yes ___ No
- If yes** to any of the above, please describe the consultation process.

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22. Regarding comments received on this report:
- (a) Did employers' organizations make any comments on the report? ___ Yes ___ No
- (b) Did workers' organizations make any comments on the report? ___ Yes ___ No

23. Which employers' organizations have been sent copies of the report? *Please attach list.*

24. Which workers' organizations have been sent copies of the report? *Please attach list.*

Please provide as attachments to your report any other information relevant to the efforts made in your country to promote the principle of freedom of association and effective recognition of the right to collective bargaining. Please list these attachments here.

Thank you for providing this information, which is to be used in the promotional spirit of the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up.

Appendix II

ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up

Report form (revised) – DRAFT

The elimination of all forms of forced or compulsory labour

Note: If your Government has already supplied a full report on this topic, you have the option of skipping to Questions 16 et seq.

I. Recognition of the principle of the elimination of all forms of forced or compulsory labour

1. Is the principle of the elimination of all forms of forced or compulsory labour recognized in any of the following ways in your country?
- | | |
|--|--------------------|
| (a) in the Constitution | _____ Yes _____ No |
| (b) in legislation | _____ Yes _____ No |
| (c) in judicial decisions | _____ Yes _____ No |
| (d) in another way. Please specify _____ | |

Please attach copies of relevant legal instruments or documents unless these have already been sent to the ILO.

2. Has the Government adopted a national policy and/or plan on the elimination of all forms of forced or compulsory labour? _____ Yes _____ No
If yes, please describe its objectives and targets.

Please attach relevant policy documents to your reply, indicating Q.2.

If no, does the Government intend to adopt such a policy and/or plan? _____ Yes, by _____ (date) _____ No

3. Does legislation in your country define forced or compulsory labour? _____ Yes _____ No
If yes, what is this definition?

Please continue on a separate sheet, if necessary, indicating Q.3.

4. Does the legislation that is intended to ensure the elimination of forced or compulsory labour cover the following types of work?
- | | |
|--|--------------------|
| (a) Work performed in a family-owned or -operated enterprise | _____ Yes _____ No |
| (b) Work in enterprises below a certain size. Please specify size: _____ | _____ Yes _____ No |
| (c) Home work | _____ Yes _____ No |
| (d) Commercial agriculture | _____ Yes _____ No |
| (e) Family and small-scale agriculture | _____ Yes _____ No |
| (f) Aspects of prison labour involving forced labour | _____ Yes _____ No |
| (g) Other. Please specify _____ | _____ Yes _____ No |

5. Are there any other persons or groups **not covered** by the application of this principle in your country? _____ Yes _____ No

If yes, please indicate which persons or groups.

Please continue on a separate sheet, if necessary, indicating Q.4.

6. Does legislation in your country provide for penalties applicable to persons found to have used or promoted the use of forced or compulsory labour? _____ Yes _____ No

If yes, please indicate what these penalties consist of for the use of different types of forced or compulsory labour (e.g. chattel slavery, bonded labour, trafficking involving forced labour).

Please describe any recent instances where such penalties have been imposed for the use of forced labour.

7. What is the situation in your country regarding the use of prison labour and its relation to the principle of the elimination of forced or compulsory labour?

8. Please describe the current situation in your country with respect to forced or compulsory labour.

Please continue on a separate sheet, indicating Q.8.

II. Efforts made or envisaged to realize the elimination of all forms of forced or compulsory labour

9. Have specific measures or programmes been implemented or are they envisaged in your country to bring about the elimination of all forms of forced or compulsory labour? ____ Yes ____ No

If no, please skip to Question 12.

If yes, please specify these measures by ticking the relevant boxes below.

Type of measure	Implemented	Envisaged
Legal reform		
Inspection/monitoring mechanisms		
Penal sanctions		
Civil or administrative sanctions		
Special institutional machinery		
Employment creation/income generation		
Education programmes		
Rehabilitation following removal from forced labour		
Awareness raising/advocacy		
International cooperation programmes or projects		
Other measures. Please specify		

Please provide further details of the measures or programmes implemented or envisaged, specifying when these special measures were or will be undertaken and which organizations are involved, indicating Q.9.

10. In these measures or programmes, is special attention given to the situation of particular groups of people (e.g. women, children, girls)? ____ Yes ____ No

If yes, please indicate which groups and describe the special measures taken to address their situation.

11. Please describe the involvement, if any, of employers' and workers' organizations in the development and implementation of these measures or programmes.

12. In your Government, is there an authority(ies) with responsibility for the identification, emancipation and/or rehabilitation of persons subject to forced labour? ____ Yes ____ No

If yes, please indicate the name(s) of this/these authority(ies) and describe its/their responsibilities.

13. Are there other organizations, domestic or international, working with government institutions or independently, addressing questions of forced labour in your country? Yes No
If yes, please name these organizations and briefly describe these activities.

14. Does the Government collect statistics and other information relevant to the elimination of all forms of forced or compulsory labour? Yes No

If yes, please provide further details of:

- (a) which institutions are responsible for collecting and analysing the information
- (b) the ways the information is collected (e.g. ad hoc surveys, periodic surveys, labour inspection activities)
- (c) the types of statistics and other information which are collected (e.g. numbers of men, women and children in forced labour situations (including debt bondage), types of work conducted, sanctions imposed, complaints recorded, estimates of number of persons trafficked to, from or within your country, numbers of persons released from forced labour).

Please provide copies or full references of relevant data sets or published surveys, unless these have already been provided to the ILO.

III. Progress and achievements with respect to the elimination of all forms of forced and compulsory labour

15. Have any special measures been undertaken in your country that can be regarded as successful examples in the elimination of forced or compulsory labour? Yes No

If yes, please describe these measures (highlighting the involvement of the social partners and other actors).

16. If your government has already submitted a report on the principle of the elimination of all forms of forced or compulsory labour, under the Declaration follow-up, please describe the major changes since your last report (e.g. changes in the regulatory, policy or institutional frameworks, significant new programmes initiated, change in the number of people working under forced labour conditions).

Major change	Date of change

IV. Obstacles with respect to the elimination of all forms of forced and compulsory labour

17. What have been the main obstacles encountered in your country with respect to the elimination of all forms of forced or compulsory labour?

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V. Needs for technical cooperation

18. Does your Government see a need for new or continued technical cooperation with the ILO to assist in realization of the principle of the elimination of forced or compulsory labour? Yes No
If yes, please indicate the types of technical cooperation needed, ranking in order of priority (1 = most important; 2 = 2nd most important, etc.; 0 = not important).

Type of technical cooperation needed	Ranking
Legal reform (labour law and other pertinent laws and regulations)	
Policy advice	
Capacity-building of responsible government institutions (e.g. labour inspection and administration)	
Training of other officials (e.g. police, judiciary, social workers, teachers)	
Strengthening data collection and analysis capacity	
Strengthening capacity of employers' and workers' organizations	
Employment creation, skills training and income generation for vulnerable workers	
Social protection systems	
Rural development (e.g. land reform, rural infrastructure, agricultural extension, marketing, microfinance)	
Awareness raising, legal literacy and advocacy	
Sharing of experience across countries/regions	
Cross-border cooperation mechanisms	
Inter-institutional coordination	
Other. Please specify	

Please attach further details for the **first 3** priority technical cooperation needs identified, indicating Q.18.

VI. Report preparation

19. Regarding the preparation of this report:
- (a) Were employers' organizations consulted in its preparation? Yes No
- (b) Were workers' organizations consulted in its preparation? Yes No
- (c) Was there consultation with any other governmental agencies? Yes No
- (d) Was there consultation with any non-governmental organizations? Yes No

If yes to any of the above, please describe the consultation process.

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20. Regarding comments received on this report:
- (a) Did employers' organizations make any comments on the report? Yes No
- (b) Did workers' organizations make any comments on the report? Yes No

21. Which employers' organizations have been sent copies of the report? *Please attach list.*

22. Which workers' organizations have been sent copies of the report? *Please attach list.*

Please provide as attachments to your report any other information relevant to the efforts made in your country to eliminate forced labour and list these attachments here (for example, data on economic and demographic trends).

Thank you for providing this information, which is to be used in the promotional spirit of the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up.

Appendix III

ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up

Report form (revised) – DRAFT

The effective abolition of child labour

Note: If your Government has already supplied a full report on this topic, you have the option of skipping to Questions 20 et seq.

I. Recognition of the principle of the effective abolition of child labour

1. Is the principle of the effective abolition of child labour recognized in any of the following ways in our country? (*please tick as appropriate*):
- | | | |
|---------------------------------|-----------|----------|
| (a) in the Constitution | _____ Yes | _____ No |
| (b) in legislation | _____ Yes | _____ No |
| (c) in judicial decisions | _____ Yes | _____ No |
| (d) other. Please specify _____ | | |

Please attach copies of relevant legal instruments unless these have already been sent to the ILO, indicating Q.1.

2. Is there a national policy or plan aimed at ensuring the effective abolition of child labour? _____ Yes _____ No

If yes, please briefly describe the objectives and targets of this policy.

Please attach relevant policy documents to your reply, indicating Q.2.

If no, does the Government intend to adopt a national policy and/or plan?

_____ Yes, by _____ (date) _____ No

3. Does legislation in your country establish a general minimum age for admission to employment?

_____ Yes _____ No

If yes, please indicate the general minimum age.

_____ Girls _____ Boys

4. Does legislation in your country define light work?

_____ Yes _____ No

If yes, please indicate the definition of light work and give some examples.

Please continue on a separate sheet, if necessary, indicating Q.4.

What is the minimum age for engaging in light work?

_____ Girls _____ Boys

5. Does legislation in your country define hazardous work? Yes No
If yes, please indicate the definition of hazardous work and give some examples.

Please continue on a separate sheet, if necessary, indicating Q.5.

What is the minimum age for engaging in hazardous work? Girls Boys

6. Does the general minimum age for admission to employment cover the following types of work?
- (a) Work performed in a family-owned or -operated enterprise Yes No
 - (b) Work performed in enterprises below a certain size. Please specify size Yes No
 - (c) Home work Yes No
 - (d) Domestic service Yes No
 - (e) Self-employed work Yes No
 - (f) Commercial agriculture Yes No
 - (g) Family and small-scale agriculture Yes No
 - (h) Other. Please specify _____ Yes No

7. Do laws or regulations exist in your country with the aim of eliminating any of the worst forms of child labour? Yes No
If yes, please list the types of work covered in these laws or regulations.

Please attach copies of relevant legal instruments unless these have already been sent to the ILO, indicating Q.7.

8. Are steps currently being taken to modify existing or to introduce new legislation to address the elimination of any of the worst forms of child labour? Yes No
If yes, please describe these steps.

9. Is there compulsory schooling for children in your country? Yes No
If yes, please specify:
- (a) the age of the end of compulsory schooling Girls Boys
 - (b) the number of years or grades of instruction required to complete compulsory education Girls Boys

10. Please describe the current situation in your country with respect to child labour.

Continue on a separate sheet.

11. Are any of the worst forms of child labour listed below generally believed or suspected to exist in your country? *Please tick the boxes that apply.*

Category	Does not exist	Do not know if it exists	Believed or suspected to exist amongst	
			Girls	Boys
Sale and/or trafficking				
Debt bondage, serfdom, forced or compulsory labour				
Forced recruitment for armed conflict				
Prostitution				
Pornography				
Illicit activities, in particular production and trafficking of drugs				
Other worst forms of child labour (please specify types)				

II. Efforts made or envisaged to realize the effective abolition of child labour

12. Have specific measures or programmes of action been implemented or are they envisaged in your country to bring about the effective abolition of child labour? ____ Yes ____ No

If no, please skip to Question 15.

If yes, please specify these measures by ticking the relevant boxes below.

Type of measure	Measures to enforce minimum age(s) for employment		Measures to eliminate the worst forms of child labour	
	Implemented	Envisaged	Implemented	Envisaged
Legal reform				
Inspection/monitoring mechanisms				
Penal sanctions				
Civil or administrative sanctions				
Special institutional machinery				
Free compulsory education				
Employment creation/income generation				
Social assistance (e.g. stipends, subsidies, vouchers)				
Child rehabilitation following removal from work				
Vocational and skills training for young workers				
Awareness raising/advocacy				
International cooperation programmes or projects				
Other measures. Please specify				

Please provide further details of the measures taken or envisaged, specifying when these special measures were undertaken and which organizations are involved, on a separate sheet indicating Q.12.

13. In these measures or programmes, is special attention given to the needs of particular groups of children? Yes No

If yes, please indicate which groups and describe any special measures undertaken.

14. Please describe the involvement, if any, of employers' and workers' organizations in the development and implementation of these measures or programmes of action.

15. Does the Government work with any multilateral agencies other than the ILO, bilateral donors and/or NGOs to combat child labour? Yes No

If yes, please name these organizations and briefly describe this cooperation (*please attach details if available, indicating Q.15*).

16. Does the Government record the following information in relation to the abolition of child labour:

- (a) number of children withdrawn from child labour Yes No
- (b) number of ex-child labourers attending formal or non-formal education Yes No
- (c) sanctions applied to users of child labour Yes No

If yes, please attach further details, indicating Q.16.

17. Does the Government undertake, or has it undertaken, surveys that provide statistical information on the extent and/or nature of child work? Yes No

If yes, are surveys undertaken:

- (a) on a regular basis; surveys are undertaken every _____ year(s); or
- (b) occasionally; the last survey was undertaken in the year _____

Please give the complete reference of the publication(s) of survey results.

■ Are the results presented separately:

- (a) by sex Yes No
- (b) by age. Please specify age groups: _____ Yes No
- (c) by occupation Yes No
- (d) by type of activity (industry) Yes No
- (e) by number of hours worked Yes No

18. What was the lower age limit for asking questions about economic activities in your last population census? _____ years
- In what year was the last population census? _____

III. Progress and achievements with respect to the effective abolition of child labour

19. Have any special measures been undertaken in your country that can be regarded as successful examples in the abolition of child labour? _____ Yes _____ No
- If yes**, please describe these measures (highlighting the involvement of the social partners and other actors).

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20. If your Government has already submitted a full report on the principle of the effective abolition of child labour, under the Declaration follow-up, please describe the major changes since your last report (e.g. changes in the regulatory, policy or institutional frameworks, significant new programmes initiated, change in the number of working children).

Major change	Date of change

IV. Obstacles with respect to the effective abolition of child labour

21. What have been the main obstacles encountered in your country with respect to realizing the principle of the effective abolition of child labour?

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V. Priority needs for technical cooperation

22. Does your Government see a need for new or continued technical cooperation with the ILO to assist in realization of the principle of the effective abolition of child labour? _____ Yes _____ No

If yes, please indicate the types of technical cooperation needed, ranking in order of priority (1 = most important; 2 = 2nd most important, etc.; 0 = not important).

Type of technical cooperation needed	Ranking
Legal reform	
Policy advice	
Capacity-building of responsible government institutions (e.g. labour inspection and administration)	
Training of other officials (e.g. police, judiciary, social workers, teachers)	
Data collection and analysis	

Type of technical cooperation needed	Ranking
Strengthening capacity of employers' and workers' organizations	
Employment creation, skills training and income generation	
Social protection systems	
Awareness raising, legal literacy and advocacy	
Sharing of experience across countries/regions	
Cross-border cooperation mechanisms	
Inter-institutional coordination	
Special programme for the elimination of the worst forms of child labour	
Other. Please specify	

Please attach further details for the **first 3** priority technical cooperation needs identified, indicating Q.22.

VI. Report preparation

23. Regarding the preparation of this report:

- (a) Were employers' organizations consulted in its preparation? Yes No
- (b) Were workers' organizations consulted in its preparation? Yes No
- (c) Was there consultation with any other governmental agencies? Yes No
- (d) Was there consultation with any non-governmental organizations? Yes No

If yes to any of the above, please describe the consultation process.

24. Regarding comments received on this report:

- (a) Did employers' organizations make any comments on the report? Yes No
- (b) Did workers' organizations make any comments on the report? Yes No

25. Which employers' organizations have been sent copies of the report? *Please attach list.*

26. Which workers' organizations have been sent copies of the report? *Please attach list.*

Please provide as attachments to your report any other information relevant to the efforts made in your country to abolish child labour and list these attachments here (for example, data on economic and demographic trends).

Thank you for providing this information, which is to be used in the promotional spirit of the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up.

Appendix IV

ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up

Report form (revised) – DRAFT

Elimination of discrimination in respect of employment and occupation

Note: If your Government has already supplied a full report on this topic, you have the option of skipping to Questions 15 et seq.

I. Recognition of the principle of the elimination of discrimination in respect of employment and occupation

1. Is the principle of the elimination of discrimination recognized and/or affirmed through legal provisions on equal opportunity and equal treatment in respect of employment and occupation in your country? Yes No
- If yes**, in what manner is the principle recognized?
- (a) in the Constitution Yes No
- (b) in legislation Yes No
- (c) in judicial decisions Yes No
- (d) in collective agreements Yes No
- (e) in another way. Please specify _____

Please attach copies of relevant legal instruments or other documents unless these have already been sent to the ILO, indicating Q.1.

2. Which of the following grounds of discrimination is recognized in these instruments?
- (a) race/colour Yes No
- (b) sex Yes No
- (c) religion Yes No
- (d) political opinion Yes No
- (e) national extraction Yes No
- (f) social origin Yes No
- (g) other grounds. Please specify _____

- How is discrimination defined in these instruments?

Please continue on a separate sheet, indicating Q.2.

3. Is the aspect of the principle concerning equal remuneration for men and women for work of equal value recognized in any of the ways listed at Q.1? Yes No
- If yes**, please describe the ways in which it is recognized, and how “equal remuneration” and “work of equal value” are defined in these instruments.

Please continue on a separate sheet, indicating Q.3.

4. Does the legislation concerning non-discrimination and/or equal remuneration cover the following categories of workers?

Category of workers	Non-discrimination	Equal Remuneration
(a) Workers in the informal economy	___ Yes ___ No	___ Yes ___ No
(b) Workers in a particular occupation or type of employment. Please specify _____	___ Yes ___ No	___ Yes ___ No
(c) Workers in establishments below a certain size. Please specify the size _____	___ Yes ___ No	___ Yes ___ No
(d) Migrant workers	___ Yes ___ No	___ Yes ___ No
(e) Agricultural workers	___ Yes ___ No	___ Yes ___ No
(f) Domestic workers	___ Yes ___ No	___ Yes ___ No
(g) Workers in the public service. Please specify which categories _____	___ Yes ___ No	___ Yes ___ No
(h) Other. Please specify _____	___ Yes ___ No	___ Yes ___ No

5. Is there a national policy and/or plan on the elimination of discrimination in employment and occupation? ___ Yes ___ No
If yes, please describe its objectives and targets

Please attach relevant policy documents to your reply, indicating Q.5.

If no, does the Government intend to adopt a national policy and/or plan?
___ Yes, by _____ (date) ___ No

6. Is there a national policy and/or plan on equal remuneration for men and women for work of equal value? ___ Yes ___ No
If yes, please describe its objectives and targets.

Please attach relevant policy documents to your reply, indicating Q.6.

If no, does the Government intend to adopt a national policy and/or plan?
___ Yes, by _____ (date) ___ No

7. Please describe the current situation in your country with respect to discrimination in employment and occupation.

II. Efforts made or envisaged with regard to the elimination of discrimination in respect of employment and occupation

8. Has the Government established any special national body or institutional machinery in relation to the elimination of discrimination in employment and occupation and/or equal remuneration for work of equal value? Yes No

If yes, please describe:

- (a) the structure and composition of this machinery
 (b) the grounds of discrimination that this machinery addresses
 (c) the functions of this machinery (e.g. consultative, coordination and monitoring, policy-making)

If no, does the Government intend to establish such machinery?

Yes, by _____ (date) No

9. Have any of the following policies, programmes or measures, aimed at achieving equal opportunity and treatment in employment and occupation, been adopted in your country?
- (a) equal opportunities to education and vocational training Yes No
 (b) upgrading the skills of vulnerable and disadvantaged social groups Yes No
 (c) maternity protection Yes No
 (d) parental leave Yes No
 (e) childcare provision Yes No
 (f) combating sexual harassment in the workplace Yes No
 (g) other. Please specify _____

If yes to any of the above, please describe these policies, programmes or measures.

10. Do collective agreements in your country promote, respect and realize the principle of the elimination of discrimination in employment and occupation? Yes No

If yes, please describe how.

11. Are methods in place in your country to implement the principle of equal remuneration for men and women for work of equal value? Yes No

If yes, please describe these methods, including the criteria that are used for assessment of “equal remuneration” and “work of equal value”.

12. Does the Government produce regular statistics relevant to the elimination of discrimination in employment and occupation? Yes No
If no, does the Government plan to do so? Yes, by _____ (date) No

If yes, please indicate whether the following statistics are or can be produced for different social groups (e.g. men and women, different racial groups):

- (a) Overall activity rates Yes No
 (b) Activity rates in non-regular forms of employment (e.g. home work, casual work, contract work) Yes No
 (c) Occupation Yes No
 (d) Unemployment rate Yes No
 (e) Remuneration Yes No

If yes to any of the above, please list the social groups for which the statistics are or can be produced.

Please provide full references of any published data sets, and provide recent examples of these as attachments to your reply, if these have not already been provided to the ILO.

13. Does the Government work with any multilateral agencies other than the ILO, bilateral donors and/or non-governmental organizations to combat discrimination? Yes No
If yes, please name these organizations and briefly describe this cooperation (*please attach details if available, indicating Q.13*).

III. Progress and achievements with regard to the elimination of discrimination in respect of employment and occupation

14. Have any initiatives been undertaken in your country that can be regarded as successful examples in the elimination of discrimination in employment and occupation? Yes No
If yes, please describe these initiatives (highlighting the involvement of the social partners and other actors).

15. If the Government has already submitted a full report on the principle of the elimination of discrimination in employment and occupation, under the Declaration follow-up, please describe the major changes since your last report (e.g. changes in the regulatory, policy or institutional frameworks, significant new programmes initiated, new data collected).

Major change	Date of change

IV. Obstacles with regard to the elimination of discrimination

16. What have been the main obstacles encountered with respect to realizing equal opportunities in employment and occupation and/or equal remuneration for men and women for work of equal value? (please tick the relevant boxes).

Nature of obstacle	Elimination of discrimination in employment and occupation	Equal remuneration for work of equal value
Legal obstacles		
Social and economic circumstances		
Political situation (political instability, social unrest, etc.)		
Capacity of responsible institutions		
Lack of public awareness and support		
Social values and cultural traditions		
Prevailing employment practices, including hiring and firing		
Size of informal sector		
Lack of information and data		
Other. Please specify		

Please provide further details for the obstacles indicated above on a separate sheet, indicating Q.16.

V. Priority needs for technical cooperation

17. Does the Government see a need for new or continued technical cooperation with the ILO to assist in realization of the principle of non-discrimination? _____ Yes _____ No

If yes, please indicate the types of technical cooperation needed, ranking in order of priority (1 = most important; 2 = 2nd most important, etc.; 0 = not important).

Type of technical cooperation needed	Ranking
Labour law reform	
Strengthening statistical capacity	
Training of government officials	
Training of employers' and workers' organizations	
Policy development of labour market policies that promote equality of opportunity	
Technical assistance regarding equal remuneration	
Technical assistance in employment programmes that promote equality of opportunity	
Establishing or strengthening specialized institutional machinery	
Technical assistance on affirmative action measures	
Awareness raising, legal literacy and advocacy	
Sharing of experience across countries/regions	
Inter-institutional coordination	
Other. Please specify	

Please attach further details for the **first 3** priority technical cooperation needs identified, indicating Q.17.

VI. Report preparation

18. Regarding the preparation of this report:

- (a) Were employers' organizations consulted in its preparation? Yes No
- (b) Were workers' organizations consulted in its preparation? Yes No
- (c) Was there consultation with any other governmental agencies? Yes No
- (d) Was there consultation with any non-governmental organizations? Yes No

If **yes** to any of the above, please describe the consultation process.

19. Regarding comments received on this report:

- (a) Did employers' organizations make any comments on the report? Yes No
- (b) Did workers' organizations make any comments on the report? Yes No

20. Which employers' organizations have been sent copies of the report? *Please attach list.*

21. Which workers' organizations have been sent copies of the report? *Please attach list.*

Please provide as attachments to your report any other information relevant to the efforts made in your country to respect, promote and realize the principle of the elimination of discrimination, and list these attachments here.

Thank you for providing this information, which is to be used in the promotional spirit of the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up.